

of which exceeds the maximum allowed for any one defect shall be considered as damage:

(a) Shriveling when more than one-eighth of the portion of kernel is severely shriveled, or a greater area is affected by lesser degrees of shriveling producing an equally objectionable appearance, except that kernels which are thin in cross-section but which are otherwise normally developed shall not be considered as damaged;

(b) Mold when plainly visible;

(c) Discoloration of the meat when more than one-eighth the volume of the portion of kernel is severely discolored, or a greater volume is affected by lesser degrees of discoloration producing an equally objectionable appearance;

(d) Not well dried; and,

(e) Not clean.

#### §51.2293 Serious damage.

*Serious damage* means any defect, other than color, which seriously affects the appearance, or the edible or shipping quality of the individual portion of kernel or of the lot as a whole. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage:

(a) Shriveling when more than one-fourth of the kernel is severely shriveled, or a greater area is affected by lesser degrees of shriveling producing an equally objectionable appearance;

(b) Mold when plainly visible on more than one-eighth of the surface of the kernel in the aggregate; and,

(c) Discoloration of the meat when more than one-fourth the volume of the portion of kernel is severely discolored, or a greater volume is affected by lesser degrees of discoloration producing an equally objectionable appearance.

#### §51.2294 Very serious damage.

*Very serious damage* means any defect, other than color, which very seriously affects the appearance, or the edible or shipping quality of the individual portion of kernel or of the lot as a whole. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed

for any one defect shall be considered as very serious damage:

(a) Shriveling when more than 50 percent of the portion of kernel is severely shriveled;

(b) Mold when plainly visible on more than one-fourth of the surface of the portion of kernel in the aggregate;

(c) Discoloration of the meat when more than one-half the volume of the portion of kernel is severely discolored;

(d) Insect injury;

(e) Rancidity or decay; and,

(f) Shell, or any foreign material.

#### §51.2295 Half kernel.

*Half kernel* means the separated half of a kernel with not more than one-eighth broken off.

#### §51.2296 Three-fourths half kernel.

*Three-fourths half kernel* means a portion of a half of a kernel which has more than one-eighth but not more than one-fourth broken off.

### Subpart—United States Standards for Grades of Kiwifruit

SOURCE: 47 FR 34513, Aug. 10, 1982, unless otherwise noted.

#### §51.2335 Grades.

(a) “U.S. Fancy” consists of kiwifruit which meet the following requirements:

(1) Basic Requirements:

(i) Similar varietal characteristics;

(ii) Mature;

(iii) Not soft, overripe, or shriveled;

(iv) Carefully packed;

(v) Clean; and,

(vi) Well formed.

(2) Free From:

(i) Worm holes;

(ii) Broken skins which are not healed;

(iii) Sunscald;

(iv) Freezing injury;

(v) Internal breakdown; and,

(vi) Decay.

(3) Free From Injury By:

(i) Bruises;

(ii) Leaf or limbrubs;

(iii) Discoloration;

(iv) Hail;

(v) Growth cracks;

(vi) Scab;

(vii) Scars;

**§ 51.2336**

**7 CFR Ch. I (1-1-01 Edition)**

- (viii) Heat, sprayburn, or sunburn;
- (ix) Scale;
- (x) Insects;
- (xi) Other diseases; and,
- (xii) Mechanical or other means.
- (4) Tolerances. (See § 51.2336)
- (b) "U.S. No. 1" consists of kiwifruit which meet the following requirements:
  - (1) Basic Requirements:
    - (i) Similar varietal characteristics;
    - (ii) Mature;
    - (iii) Not soft, overripe, or shriveled;
    - (iv) Carefully packed;
    - (v) Clean; and,
    - (vi) Fairly well formed.
  - (2) Free From:
    - (i) Worm holes;
    - (ii) Broken skins which are not healed;
    - (iii) Sunscald;
    - (iv) Freezing injury;
    - (v) Internal breakdown; and,
    - (vi) Decay.
  - (3) Free From Damage By:
    - (i) Bruises;
    - (ii) Leaf or limbrubs;
    - (iii) Discoloration;
    - (iv) Hail;
    - (v) Growth cracks;
    - (vi) Scab;
    - (vii) Scars;
    - (viii) Heat, sprayburn, or sunburn;
    - (ix) Scale;
    - (x) Insects;
    - (xi) Other diseases; and,
    - (xii) Mechanical or other means.
  - (4) Tolerances. (See § 51.2336):
- (c) "U.S. No. 2" consists of kiwifruit which meet the following requirements:
  - (1) Basic Requirements:
    - (i) Similar varietal characteristics;
    - (ii) Mature;
    - (iii) Not soft, overripe, or shriveled;
    - (iv) Carefully packed;
    - (v) Fairly clean; and,
    - (vi) Not badly misshapen.
  - (2) Free From:
    - (i) Worm holes;
    - (ii) Broken skins which are not healed;
    - (iii) Sunscald;
    - (iv) Freezing injury;
    - (v) Internal breakdown; and,
    - (vi) Decay.
  - (3) Free From Serious Damage By:
    - (i) Bruises;
    - (ii) Leaf or limbrubs;

- (iii) Discoloration;
- (iv) Hail;
- (v) Growth cracks;
- (vi) Scab;
- (vii) Scars;
- (viii) Heat, sprayburn, or sunburn;
- (ix) Scale;
- (x) Insects;
- (xi) Other diseases; and,
- (xii) Mechanical or other means.
- (4) Tolerances. (See § 51.2336)

[47 FR 34513, Aug. 10, 1982, as amended at 51 FR 36682, Oct. 15, 1986]

**§ 51.2336 Tolerances.**

In order to allow for variations incident to proper grading and handling, the following tolerances by count, shall be permitted in any lot:

- (a) U.S. Fancy and U.S. No. 1.

(1) For defects at shipping point,<sup>2</sup> 8 percent for fruit which fail to meet the requirements of the specified grade: *Provided*, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than 1 percent for fruit affected by internal breakdown or decay.

(2) For defects en route or at destination, 12 percent for fruit which fail to meet the requirements of the specified grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects:

- (i) 8 percent for permanent defects;
- (ii) 6 percent for defects causing serious damage, including therein not more than 4 percent for serious damage by permanent defects and not more than 2 percent for fruit affected by internal breakdown or decay.

- (b) U.S. No. 2.

(1) For defects at shipping point,<sup>2</sup> 8 percent for fruit which fail to meet the requirements of this grade: *Provided*, That included in this amount not more than 4 percent shall be allowed for sunscald, insects, internal breakdown or decay, including in this latter amount not more than 1 percent for

<sup>2</sup>Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.